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UNITED STATES OF AMERICA

17 **UNITED STATES DISTRICT COURT**

18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

19 **SAN FRANCISCO DIVISION**

20 MINORITY TELEVISION PROJECT, INC.,

Case No. 06-2699-EDL

21 Plaintiff,

22 v.

23 FEDERAL COMMUNICATIONS
24 COMMISSION and UNITED STATES OF
AMERICA,

**STIPULATION AND [PROPOSED]—
ORDER TO MODIFY DISPOSITIVE
MOTION BRIEFING SCHEDULE**

25 Defendants.

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28 Stipulation and [Proposed] Order to Modify Dispositive
Motion Briefing Schedule
Case No. C 06-2699 EDL

WHEREAS, the plaintiff, Minority Television Project, Inc. (“Plaintiff”) requests a modification to Dispositive Motion Briefing Schedule issued by this Court on February 4, 2009, due to medical issues encountered by lead counsel, Walter E. Diercks, and his wife;

WHEREAS, as a result of these issues, the parties United States of America and the Federal Communications Commission (collectively “Defendants”) and Plaintiff have agreed to the proposed modification to the Dispositive Motion Briefing Schedule:

Dispositive Motions

- Plaintiff's Opening and/or cross motion shall be due on May 5, 2009;
 - Defendants' Reply Brief shall be due on May 27, 2009;
 - Plaintiff's Reply Brief shall be due on June 9, 2009;
 - Dispositive Motion hearing shall be held on June 30, 2009 at 9:00 am

WHEREAS the parties respectfully request that the Court adopt the proposed aforementioned modification to the Dispositive Motion Briefing Schedule.

Dated: April 24, 2009

Respectfully submitted,

Andrew A. August
John L. Fitzgerald
Walter E. Diercks

By: /s/ Andrew A. August
Attorneys for MINORITY
TELEVISION PROJECT, INC.

Dated: April 24, 2009

JOSEPH P. RUSSONIELLO
United States Attorney

By: /s/ Melissa K. Brown
Melissa K. Brown
Assistant United States Attorney

PROPOSED ORDER

Dispositive Motions

- Plaintiff's Opening and/or cross motion shall be due on May 5, 2009;
 - Defendants' Reply Brief shall be due on May 27, 2009;
 - Plaintiff's Reply Brief shall be due on June 9, 2009;
 - The Dispositive Motion hearing shall be held on June 30, 2009 at 9:00 am.

IT IS SO ORDERED.

Dated: April 24, 2009

